

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-13-86-GF-BMM-01

Plaintiff,

vs.

ORDER

GEORGE THEODORE
SUTHERLAND,

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter October 17, 2016. (Doc. 69.) Sutherland waived his right to object and neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 12, 2016. (Doc. 69 at 3.) Sutherland admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Sutherland's

supervised release. Judge Johnston has recommended that the Court revoke Sutherland's supervised release and commit Sutherland to the custody of the Bureau of Prisons for four months. (Doc. 69 at 4.) Judge Johnston further has recommended that Sutherland's term of custody be followed by 29 months of supervised release. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Sutherland's violations of his conditions represent a serious breach of the Court's trust. A sentence of four months custody followed by 29 months of supervised release represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 69) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant George Theodore Sutherland be sentenced to four months custody followed by 29 months of supervised release. The conditions previously imposed shall be continued.

DATED this 20th day of October, 2016.



Brian Morris
United States District Court Judge